

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOSE TRUJILLO,

Plaintiff,

v.

4B MARKET INCORPORATED;
KEWAL SINGH BASI, Trustee of the
BASI FAMILY REVOCABLE TRUST;
and OLGA BASI Trustee of the BASI
FAMILY REVOCABLE TRUST,

Defendants.

Case No. 1:21-cv-01559-JLT-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. 28)

In this action, Jose Trujillo alleges 4B Market Incorporated; Kewal Singh Basi, Trustee of the Basi Family Revocable Trust; and Olga Basi, Trustee of the Basi Family Revocable Trust (collectively, “Defendants”) violated of Title III of the Americans with Disabilities Act, 42 U.S.C. §§ 12101 *et seq.*; the California Unruh Act, Cal. Civ. Code § 51 *et seq.*; and California Health & Safety Code §§ 19955, 19959. (Doc. 1)

Plaintiff filed an amended motion for default judgment as to all Defendants. (Doc. 25.) The magistrate judge filed Findings and Recommendations, recommending Plaintiff’s amended motion for default judgment be granted and directing the Plaintiff to mail a copy of the Findings and Recommendations to Defendants within fourteen business days of the date of the order. (Doc. 28.) The Findings and Recommendations also contained a notice that parties had fourteen days to

file written objections. (*Id.* at 14.) Plaintiff filed a certificate of service indicating that the Court's December 14, 2022 Order was served on Defendants. (Doc. 29.) As of the date of this Order, no objections have been filed and the time to do so has expired. (*See* docket.)

According to 28 U.S.C. § 636(b)(1)(C), the Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the record and by proper analysis. Thus, the Court

ORDERS:

1. The Findings and Recommendations, filed on December 14, 2022 (Doc. 28), are

ADOPTED IN FULL.

2. The Clerk of Court shall enter judgment against Defendants as follows:

(a) Plaintiff is awarded statutory damages in the amount of \$4,000.

(b) Plaintiff is awarded attorney's fees, litigation expenses and costs in the amount of \$3,703.02.

(c) Defendants shall remove barriers and provide:

(1) a fuel pump or a communication device at the fuel pumps in accordance with 1991 ADAAG § 4.27.3;

(2) an accessible entrance in accordance with 1991 ADAAG § 4.1.3(7)(a);

(3) accessible aisles in accordance with § 1991 ADAAG § 4.3.3; and

(4) an accessible transaction counter in accordance with 1991 ADAAG § 7.2(1) consistent with the requirements of the ADA.

3. Thereafter, the Clerk of Court shall terminate any pending motions and close this case.

IT IS SO ORDERED.

Dated: **December 30, 2022**


UNITED STATES DISTRICT JUDGE